

Attorney's Docket No. 0937.0013

PATENT

11002 U.S. PTO  
09/865152  
05/24/01

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**COMBINED DECLARATION AND POWER OF ATTORNEY**  
(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL,  
CONTINUATION OR CIP)

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As a below named inventor, I hereby declare that:

**TYPE OF DECLARATION**

This declaration is of the following type: (check one applicable item below)

☒ original

☐ design

☐ supplemental

[NOTE: If the declaration is for an International Application being filed as a divisional, continuation or continuation-in-part application do not check next item; check appropriate one of last three items.]

☐ national stage of PCT

[NOTE: If one of the following 3 items apply then complete and also attach ADDED PAGES FOR DIVISIONAL, CONTINUATION OR CIP.]

\_\_\_\_ divisional

\_\_\_\_ continuation

\_\_\_\_ continuation-in-part (CIP)

### INVENTORSHIP IDENTIFICATION

[WARNING: If the inventors are each not the inventors of all the claims an explanation of the facts, including the ownership of all the claims at the time the last claimed invention was made, should be submitted.]

My residence, post office address and citizenship are as stated below next to my name, I believe I am the original, first and sole inventor or an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### TITLE OF INVENTION

**OPTICAL FILTER CONSTRUCTION BY ATOMIC LAYER CONTROL FOR NEXT  
GENERATION DENSE WAVELENGTH DIVISION MULTIPLEXER**

### SPECIFICATION IDENTIFICATION

The specification of which: (complete (a), (b) or (c))

(a)   X   is attached hereto.

(b) \_\_\_\_\_ was filed on \_\_\_\_\_ as \_\_\_\_\_ Serial No. 0 / \_\_\_\_\_

or \_\_\_\_\_ Express Mail No., as Serial No. not yet known \_\_\_\_\_ and was amended

on \_\_\_\_\_ (if applicable).

(c) \_\_\_\_\_ was described and claimed in PCT International Application No. \_\_\_\_\_

\_\_\_\_\_ filed on \_\_\_\_\_ and as amended under PCT Article 19 on \_\_\_\_\_

\_\_\_\_\_ (if any).

[NOTE: Amendments filed after the original papers are deposited with the PTO which contain new matter are not accorded a filing date by being referred to in the declaration. Accordingly, the amendments involved are those filed with the application papers or, in the case of a supplemental declaration, are those amendments claiming matter not encompassed in the original statement of invention or claims. See 37 CFR 1.67.]

## ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above- identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined 37 C.F.R. § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

\_\_\_\_\_ In compliance with this duty there is attached an information disclosure statement, 37 CFR 1.97.

### PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

(complete (d) or (e))

(d)   X   no such applications have been filed.

(e)        such applications have been filed as follows.

[NOTE: Where item (c) is entered above and the International Application which designated the U.S. claimed priority check item (e), enter the details below and make the priority claim.]

**EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

COUNTRY	APPLICATION No.	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 37 USC 119
			___ YES ___ NO
			___ YES ___ NO
			___ YES ___ NO
			___ YES ___ NO
			___ YES ___ NO

**ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

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#### DOMESTIC PRIORITY CLAIM

I hereby claim domestic priority benefits under Title 37, Code of Federal Regulations § 1.78 (a)(3)-(4) of any provisional application(s) filed in accordance with Title 35, United States Code § 111(b) and Title 37, Code of Federal Regulations § 1.51(a)(2) and § 1.53(b)(2).

(complete (f) or (g))

(f) \_\_\_\_\_ no such provisional applications have been filed.

(g)   X   such provisional applications have been filed as follows:

[NOTE: Where item (g) is entered above, enter the details below and make the priority claim.]

**DOMESTIC (PROVISIONAL) APPLICATION(S), IF ANY, FILED WITHIN 12  
MONTHS PRIOR TO THIS NONPROVISIONAL U.S. APPLICATION**

PROVISIONAL APPLICATION SERIAL NO.	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 37 CFR § 1.78(a)(4)
60/207,100	5/25/00	<u>  X  </u> YES <u>      </u> NO
60/206,934	5/25/00	<u>  X  </u> YES <u>      </u> NO
60/207,101	5/25/00	<u>  X  </u> YES <u>      </u> NO
		<u>      </u> YES <u>      </u> NO

**SPECIFICATION IDENTIFICATION:**

This application claims the benefit of U.S. Provisional Application, Serial No. 60/207,100, filed on May 25, 2000, by the same inventors, entitled CHEMICAL-ORGANIC PLANARIZATION PROCESS FOR ATOMICALLY SMOOTH INTERFACES; U.S. Provisional Patent Application Serial No. 60/207,101, entitled CHEMICAL-ORGANIC PLANARIZATION PROCESS FOR ATOMICALLY SMOOTH INTERFACES, filed on May 25, 2000, by the same inventors, U.S. Provisional Patent Application Serial No. 60/206,934, entitled OPTICAL FILTER CONSTRUCTION BY ATOMIC LAYER CONTROL FOR NEXT GENERATION DENSE WAVELENGTH DIVISION MULTIPLEXER, filed on May 25,

2000, by the same inventors.

### POWER OF ATTORNEY

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Roger D. Emerson

Reg. No. 33,169

(check the following item, if applicable)

\_\_\_\_ Attached as part of this declaration and power of

attorney is the authorization of the above-named attorney(s) to accept and follow instructions from my representative(s).

#### SEND CORRESPONDENCE TO

Daniel A. Thomson, Esq.

One Cascade Plaza – Fourteenth Floor

Akron, Ohio 44308-1136

#### DIRECT TELEPHONE CALLS TO:

Daniel A. Thomson, Esq.

330-535-9999


### DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these

statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

### SIGNATURE(S)

Full name of **sole or first inventor**: Gerald T. Mearini

Inventor's signature: 

Date 5/23/01 Country of Citizenship: USA

Residence: 15810 Van Aken Blvd. #302, Shaker Heights, Ohio 44120

Post Office Address: 15810 Van Aken Blvd. #302, Shaker Heights, Ohio 44120

Full name of **second joint inventor**: Laszlo Takacs

Inventor's signature 

Date 5/23/01 Country of Citizenship: USA

Residence: 15700 Van Aken Blvd. Apt. 23, Shaker Heights, Ohio 44120

Post Office Address: 15700 Van Aken Blvd. Apt. 23, Shaker Heights, Ohio 44120

CHECK PROPER BOX(ES) FOR ANY OF THE FOLLOWING ADDED PAGE(S) WHICH FORM A PART OF THIS DECLARATION



\_\_\_\_ Signature for third and subsequent joint inventors. Number of pages added \_\_\_\_

\_\_\_\_ Signature by administrator (trix), executor (trix) or legal representative for deceased or incapacitated inventor. Number of pages added \_\_\_\_

\_\_\_\_ Signature for inventor who refuses to sign or cannot be reached by person authorized under 37 CFR 1.47. Number of pages added \_\_\_\_

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\_\_\_\_ Added pages to combined declaration and power of attorney for divisional, continuation, or continuation-in-part (CIP) application.

\_\_\_\_ Number of pages added \_\_\_\_

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\_\_\_\_ Authorization of attorney(s) to accept and follow instructions from representative

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**If no further pages form a part of this Declaration then end this Declaration with this page and check the following item**

\_\_X\_\_ This declaration ends with this page